

REMARKS

Applicant takes this opportunity to submit new claims 44-46 for the Examiner's consideration.

The Examiner has rejected claims 1-3, 5-6, 8-9, 11-13, 15-16, and 18 under 35 U.S.C. §103(a) as being unpatentable over *Champlin* in view of *Ramberg* (US 6,857,013). The Examiner has further rejected claims 4, 7, 10, 14, 17, and 35-43 over *Champlin* in view of *Ramberg* and in further view of *Pan* (US 6,775,701).

The Examiner submits that:

*"It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the method of translating between the communication protocols of ADC Devices and the standardized SNMP protocol using information from MIB of Ramberg in Champlin such that to have translation between first and second protocols in Champlin, because both Ramberg and Champlin teach inventions relates [sic.] to translating information in a SNMP environment using MIB."*<sup>1</sup>

According to MPEP 2143.01:

*"[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art."*

Since the Examiner has not identified any motivation explicitly or implicitly in the references themselves, Applicant assumes that the Examiner regards the motivation as arising from "knowledge generally available to one of ordinary skill in the art." However, the cited references merely demonstrate the existence of certain specialized non-standard protocols used in ADC devices such as bar code scanners. This hardly amounts to motivation for one of skill in the art to incorporate "a method of translating between the communication protocols of ADC Devices and the standardized SNMP protocol" into the system disclosed in *Champlin*.

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<sup>1</sup> Paragraph 6 of Office Action mailed on April 12, 2006 ("Office Action").

The elements in *Champlin* all communicate using only the SNMP protocol. There is no suggestion that the system of *Champlin* is in any way deficient because it fails to communicate with, for example, *Ramberg*'s bar code scanners. In citing *Ramberg*, the Examiner has only demonstrated that: (1) protocols other than SNMP were known, and (2) that such protocols were used in bar code scanners. However, the mere fact that more than one protocol was known does not mean that one of ordinary skill would be motivated to modify any known system to use any known protocol. There is no motivation to incorporate a method of translating communication protocols of ADC Devices into *Champlin*, as these devices serve a specialized purpose and use a non-standard communication protocol for automatic data collection, which is completely unrelated to the invention disclosed in *Champlin*.<sup>2</sup> Claims 1-18 and 35-43 are patentable for at least this reason.

Claim 1 has been amended to recite:

*"a first database having metadata that is received from a remote source and that is descriptive of data stored in a second database"*<sup>3</sup>

The Examiner apparently regards *Champlin* as teaching that the metadata is received from a remote source.<sup>4</sup>

*Champlin* discloses that:

*"The data records 74 obtained from the translation table 70 (instead of an Agent PDU as in conventional systems) are provided to the secondary processor systems (i.e., the SNMP subagents 66)..."*<sup>5</sup>

As best understood, the Examiner considers the translation table 70 to be "a remote source." However, the Examiner also views translation table 70 "as a first database."<sup>6</sup> Translation table 70 cannot be both "a first database" and "a remote source" providing metadata to the first database. In fact, *Champlin* neither discloses nor suggests a database "having metadata that is received from a remote source." *Champlin* instead teaches that "[t]he SNMP

<sup>2</sup> Col. 1, lines 40-60.

<sup>3</sup> [emphasis added].

<sup>4</sup> Paragraph 11 of *Office Action*.

<sup>5</sup> *Champlin*, col., 5 lines 28-30.

<sup>6</sup> Paragraph 6(a) of *Office Action*.

master agent 64 [updates] the translation table 70.”<sup>7</sup> The Examiner appears to regard the SNMP master agent 64 as being “a first process in communication with said second database.”<sup>8</sup> The SNMP master agent 64 therefore cannot also be “a remote source.”

Likewise, *Ramberg* fails to teach “a first database having metadata that is received from a remote source.” *Ramberg* discloses that “control information about each ADC device 101, 102 is maintained in the MIB 240” as part of the ADC device platform 100.<sup>9</sup> *Ramberg* says nothing about how this database might be populated. Therefore, *Ramberg* neither discloses nor suggests “a first database having metadata that is received from a remote source.”

Claim 1 is further patentable for at least these reasons. Claims 9 and 35 contain similar limitations and are further patentable for at least the same reasons as claim 1.

Claim 3 has been re-written in independent form to recite a network in which:

*“said first process comprises a network shim layer providing an interface between said first process and a network”*

The Examiner suggests that *Champlin* teaches this limitation because:

*“item 70 serves the function of translating the protocol format into the second format of the appropriate SNMP agent 66, which serves the same function as the network shim layer is providing.”<sup>10</sup>*

In fact, translation table 70 serves an entirely different function from the network shim layer of claim 3. The network shim layer recited in claim 3 is “in communication with said first process through a first protocol” and is “receiving communication transmitted across a network using a second protocol and having access to said metadata in said first database for translation between said first and second protocols.”

Translation table 70 does not access a first database to translate between first and second protocols. On the contrary, it is the translation table 70 itself that is accessed by other system elements. These system elements use the translation table 70 as a look-up table to blindly

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<sup>7</sup> *Champlin*, col. 5, lines 63-64.

<sup>8</sup> Paragraph 6(b) of *Office Action*.

<sup>9</sup> Col. 7, lines 37, 43-44.

<sup>10</sup> Paragraph 8 of *Office Action*.

translate the addresses of managed object identifiers.<sup>11</sup> Additionally, the Examiner has agreed that *Champlin* fails to teach translation between first and second protocols.<sup>12</sup> Therefore, neither the translation table 70 nor any other system element disclosed in *Champlin* can perform the function of translating “between said first and second protocols,” nor can any other system element disclosed in *Champlin*.

Claim 3 is further patentable for at least these reasons. Claims 13 and 37 contain similar limitations and are further patentable for at least the same reasons as claim 3.

All dependent claims are patentable for at least the same reasons as the claims on which they depend.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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<sup>11</sup> Col. 4, line 65 – Col. 5, line 27.

<sup>12</sup> Paragraph 6 of *Office Action*.

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No fees are believed due. Please apply any other charges or credits to deposit account 06-1050, referencing attorney docket no. 10559-457001.

Respectfully submitted,

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